

## REMARKS

There are now pending in this application Claims 1-7 and 9-14, of which Claims 1 and 4 are independent. Claim 8 has been cancelled without prejudice or waiver of its subject matter. Claims 10-14 are newly added.

In view of the above amendments and following remarks, favorable reconsideration and allowance of above application is respectfully sought.

The invention as set forth in independent Claim 1 is directed to a picture reading device comprising an illuminating unit adapted to illuminate a surface of a sheet with light, a reading unit adapted to read the illuminating surface of the sheet as a picture for the purpose of calculating a roughness of the surface of the sheet based on the picture read by the reading unit. The invention is characterized in that the illuminating unit is arranged in such a manner that a line resulting from projecting a line connecting the light illuminating unit and the reading unit on a surface of the sheet is oblique to a conveying direction of the sheet.

Independent Claim 4 is directed to an image forming apparatus which comprises an illuminating unit adapted to illuminate a surface of a recording material with light, a reading unit adapted to read the illuminated surface of the recording material as a picture, and a calculating unit adapted to calculate a roughness of the recording material based on the picture read by the reading unit. As set forth in Claim 4, the invention is characterized in that the illuminating unit is arranged in such a manner that a line resulting from projecting a line connecting the illuminating unit and the reading unit on a surface of the recording material is oblique to a conveying direction of the recording material.

Claim 1 stands rejected under 35 U.S.C. §102(b) as being anticipated by Brenholdt (U.S. Patent No. 4,760,271). In view of the above amendments the rejection is respectfully traversed.

As set forth above, the invention as set forth in Claim 1 is characterized in that an illuminating unit is arranged in such a manner that a line resulting from projecting a line connecting the light illuminating unit and the reading unit on a surface of the sheet is oblique to a conveying direction of the sheet. Such arrangement is illustrated in Figure 2 of the present application.

Brenholdt is directed to an apparatus and process for examining a moving web of paper to determine the optical parameter of formation and the physical parameter of roughness. Brenholdt features an apparatus and process for illuminating a surface of the sheet and executes a calculation of a roughness of that sheet by reading a condition of the surface. However, a positional relationship between the illuminating unit and the reading unit in Brenholdt is distinct from that recited in the present invention. Brenholdt does not disclose or suggest an illuminating unit arranged in such a manner that a line resulting from a projecting line connecting the light illuminating unit and the reading unit on a surface of the sheet is oblique to a conveying direction. This is readily apparent by viewing Figures 1 and 2B of Brenholdt.

It is therefore respectfully submitted that independent Claim 1 is patentable over Brenholdt.

The outstanding Official Action indicated that Claim 4 was allowed. Claim 4 has been amended but the amendment is believed to improve upon the form and clarity of the claim and not affect its allowability over the prior art. In any event, Claim 4 recites the above

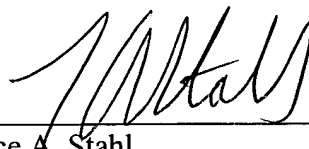
discussed distinguishing features of Claim 1 and is likewise patentable over Brenholdt for the additional reasons set forth above with respect to Claim 1.

The remaining claims in the above application are dependent claims which depend either directly or indirectly from Claims 1 or 4 and are therefore patentable over the art for reasons noted above with respect to Claims 1 and 4. In addition, each recite features of the invention still further distinguishing it from the applied art. Favorable independent consideration thereof is respectfully sought.

Applicant respectfully submit that all outstanding matters in the above application have been addressed and that this application is in condition for allowance. Favorable reconsideration and early passage to issue of the above application are respectfully sought.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'L. Stahl', written over a horizontal line.

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